

THE DEPARTMENT OF STATE BULLETIN

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In this issue

JAPANESE ACCEPTANCE OF POTSDAM DECLARATION

COVENANT OF THE LEAGUE OF NATIONS AND CHARTER OF THE UNITED NATIONS: POINTS OF DIFFERENCE

By Clyde Eagleton

RESIGNATIONS OF JOSEPH C. GREW, J. C. HOLMES, AND ARCHIBALD MACLEISH

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THE DEPARTMENT OF STATE BULLETIN

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The Department of State BULLETIN, a weekly publication compiled and edited in the Division of Research and Publication, Office of Public Affairs, provides the public and interested agencies of the Government with information on developments in the field of foreign relations and on the work of the Department of State and the Foreign Service. The BULLETIN includes press releases on foreign policy issued by the White House and the Department, and statements and addresses made by the President and by the Secretary of State and other officers of the Department, as well as special articles on various phases of international affairs and the functions of the Department. Information concerning treaties and international agreements to which the United States is or may become a party and treaties of general international interest is included.

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Japanese Acceptance of Potsdam Declaration

STATEMENT BY THE PRESIDENT

[Released to the press by the White House August 14]

I have received this afternoon a message from the Japanese Government in reply to the message forwarded to that Government by the Secretary of State on August 11.¹ I deem this reply a full acceptance of the Potsdam Declaration which specifies the unconditional surrender of Japan. In the reply there is no qualification.

Arrangements are now being made for the formal signing of surrender terms at the earliest possible moment.

General Douglas MacArthur has been appointed the Supreme Allied Commander to receive the Japanese surrender. Great Britain, Russia, and China will be represented by high-ranking officers.

Meantime, the Allied armed forces have been ordered to suspend offensive action.

The proclamation of V-J Day must wait upon the formal signing of the surrender terms by Japan.

Following is the Japanese Government's message accepting our terms:

"Communication of the Japanese Government of August 14, 1945, addressed to the Governments of the United States, Great Britain, the Soviet Union, and China:

"With reference to the Japanese Government's note of August 10 regarding their acceptance of the provisions of the Potsdam declaration and the reply of the Governments of the United States, Great Britain, the Soviet Union, and China sent by American Secretary of State Byrnes under the date of August 11, the Japanese Government have the honor to communicate to the Governments of the four powers as follows:

"1. His Majesty the Emperor has issued an Imperial rescript regarding Japan's acceptance of the provisions of the Potsdam declaration.

"2. His Majesty the Emperor is prepared to authorize and ensure the signature by his Government and the Imperial General Headquarters of the necessary terms for carrying out the provisions of the Potsdam declaration. His Majesty is also prepared to issue his commands to all the military, naval, and air authorities of Japan and all the forces under their control wherever located to cease active operations, to surrender arms and to issue such other orders as may be required by the Supreme Commander of the Allied Forces for the execution of the above-mentioned terms."

EXCHANGE OF NOTES BETWEEN SWISS CHARGÉ AND SECRETARY OF STATE

[Released to the press by the White House August 14]

AUGUST 14, 1945.

SIR:

I have the honor to refer to your note of August 11, in which you requested me to transmit to my Government the reply of the Governments of the United States, the United Kingdom, the Union of Soviet Socialist Republics, and China to the message from the Japanese Government which was communicated in my note of August 10.

At 20.10 today (Swiss Time) the Japanese Minister to Switzerland conveyed the following written statement to the Swiss Government for transmission to the four Allied governments:

[Here follows text of Japanese Government's reply to the United States contained in above statement by the President.]

Accept [etc.]

GRÄSSLI
*Chargé d'Affaires ad interim
of Switzerland*

¹ BULLETIN of Aug. 12, 1945, p. 205.

[Released to the press August 14]

AUGUST 14, 1945.

SIR:

With reference to your communication of today's date, transmitting the reply of the Japanese Government to the communication which I sent through you to the Japanese Government on August 11, on behalf of the Governments of the United States, China, the United Kingdom, and the Union of Soviet Socialist Republics, which I regard as full acceptance of the Potsdam Declaration and of my statement of August 11, 1945, I have the honor to inform you that the President of the United States has directed that the following message be sent to you for transmission to the Japanese Government:

"You are to proceed as follows:

"(1) Direct prompt cessation of hostilities by Japanese forces, informing the Supreme Commander for the Allied Powers of the effective date and hour of such cessation.

"(2) Send emissaries at once to the Supreme Commander for the Allied Powers with information of the disposition of the Japanese forces and commanders, and fully empowered to make any arrangements directed by the Supreme Commander for the Allied Powers to enable him and his accompanying forces to arrive at the place designated by him to receive the formal surrender.

"(3) For the purpose of receiving such surrender and carrying it into effect, General of the Army Douglas MacArthur has been designated as the Supreme Commander for the Allied Powers, and he will notify the Japanese Government of the time, place and other details of the formal surrender."

Accept [etc.]

JAMES F. BYRNES

Secretary of State

MAX GRÄSSLER, Esquire,

Chargé d'Affaires ad interim of Switzerland.

Meeting of Diplomatic Corps Upon Defeat of Japan

[Released to the press August 15]

President Truman received the ambassadors and other chiefs of mission of the United Nations in the East Room of the White House at 3:30 p.m. on August 15. The Ambassador of Mexico, Francisco Castillo Nájera, Dean of the Diplomatic Corps, addressed the following remarks to the President on behalf of his colleagues:

"MR. PRESIDENT: On behalf of the representatives of the United Nations accredited in Washington, I have the honor and the pleasure of congratulating Your Excellency and the great people of the United States of America for the successful end of the conflagration that gravely endangered the highest human values.

"The defeat of Japanese militarism, in which the United States displayed a preponderant role, closes the final chapter of a tragic and painful cycle.

"As we celebrate total victory let us recall with admiration and gratitude the millions of martyrs and heroes, of all nationalities, who with their lives and sacrifices contributed to this triumph. We render special homage to Franklin D. Roosevelt, whose personal task was continued and

brought to a happy conclusion by his illustrious successor with the same dignity and patriotism.

"We, the representatives of the United Nations, on this solemn occasion express our sincere wishes that the glorious feats attained on the battlefield be surpassed by successful achievements in the realm of perpetual peace, under the auspices of justice, liberty, and human concord."

President Truman expressed his appreciation of the remarks of the Dean of the Diplomatic Corps and said:

"I want to say that we owe our victory as much to our Allies as to ourselves. I appreciate the tribute you have paid to my predecessor, whose plans were carried out to the best of our ability."

The President expressed the hope that the cooperation which had been achieved among the United Nations in war would be continued and used for the peace of the world.

Accompanying the President at the ceremony were the Secretary of State, James F. Byrnes; Press Secretary Charles G. Ross; Military Aide Brig. Gen. Harry H. Vaughan; and the Chief of Protocol, George T. Summerlin.

Directions to Japanese Officials for Meeting in Manila

EXCHANGE OF MESSAGES BETWEEN THE SUPREME COMMANDER

FOR THE ALLIED POWERS AND JAPANESE GENERAL HEADQUARTERS¹

The following messages were sent to the Japanese Emperor, the Japanese Imperial Government, and the Japanese General Headquarters by the Supreme Commander for the Allied Powers:

[Aug. 15, 9:30 a.m.]²

I have been designated as the Supreme Commander for the Allied Powers, the United States, the Republic of China, the United Kingdom, and the Union of Soviet Socialist Republics, and empowered to arrange directly with the Japanese authorities for the cessation of hostilities at the earliest practicable date.

It is desired that a radio station in the Tokyo area be officially designated for continuous use in handling radio communications between this headquarters and your headquarters. Your reply to this message should give all signs, frequencies, and station designations.

It is desired that the radio communications with my headquarters in Manila be handled in English text. Pending designation by you of a station in the Tokyo area for use as above indicated, stations JUM, repeat JUM, on frequency 13,705, repeat 13,705, kilocycles, will be used for this purpose; and WTA, repeat WTA, Manila, will reply on 15,965, repeat 15,965, kilocycles.

Upon receipt of this message acknowledge.

MACARTHUR.

[Aug. 15, 9:52 a.m.]

Pursuant to the acceptance of the terms of surrender of the Allied powers by the Emperor of Japan, the Japanese Imperial Government, and the Japanese Imperial Headquarters, the Supreme Commander for the Allied Powers hereby directs the immediate cessation of hostilities by the Japanese forces. The Supreme Commander for the Allied Powers is to be notified at once of the effective date and hour of such cessation of hostilities, whereupon the Allied forces will be directed to cease hostilities.

The Supreme Commander of the Allied Powers further directs the Japanese Imperial Government to send to his headquarters at Manila, Philippine

Islands, a competent representative empowered to receive in the name of the Emperor of Japan, the Japanese Imperial Government, and the Japanese Imperial General Headquarters certain requirements for carrying into effect the terms of surrender. The above representative will present to the Supreme Commander for the Allied Powers upon his arrival a document authenticated by the Emperor of Japan, empowering him to receive the requirements of the Supreme Commander for the Allied Powers.

The representative will be accompanied by competent advisers representing the Japanese Army, the Japanese Navy, and Japanese Air Forces. The latter adviser will be one thoroughly familiar with airdrome facilities in the Tokyo area.

Procedure for transport of the above party under safe-conduct is prescribed as follows: The party will travel in a Japanese airplane to an airdrome on the island of Ie Shima, from which point they will be transported to Manila, Philippine Islands, in a United States airplane. They will be returned to Japan in the same manner. The party will employ an unarmed airplane, type Zero, model 22, L2, D3.

Such airplane will be painted all white and will bear upon the sides of its fuselage and the top and bottom of each wing green crosses easily recognizable at 500 yards. The airplane will be capable of in-flight voice communications, in English, on a frequency of 6,970 kilocycles.

The airplane will proceed to an airdrome on the island of Ie Shima, identified by two white crosses prominently displayed in the center of the runway. The exact date and hour this airplane will depart from Sata Misaki, on the southern tip of Kyushu, the route and altitude of the flight, and estimated time of arrival in Ie Shima will be broadcast six hours in advance, in English, from Tokyo on a frequency of 16,125 kilocycles. Acknowledgement by radio from this headquarters of the

¹ Printed from texts as received by the Federal Communications Commission and the War Department.

² Time given in brackets is Eastern War Time.

receipt of such broadcast is required prior to take-off of the airplane. Weather permitting, the airplane will depart from Sata Misaki between the hours of 0800 and 1100 Tokyo time on the seventeenth day of August 1945. In communications regarding this flight, the code designation "Bataan" will be employed.

The airplane will approach Ie Shima on able course of 180 degrees and circle landing field at 1,000 feet or below the cloud layer until joined by an escort of United States Army P-38's which will lead it to able landing. Such escort may join the airplane prior to arrival at Ie Shima.

MACARTHUR.

The Headquarters of General MacArthur received the following messages from the Japanese Government and Japanese General Headquarters:

[Received Aug. 16]

Are in receipt of the message of the United States Government transmitted to us through the Swiss Government and of a message from General MacArthur received by the Tokyo radiograph office and desire to make the following communication.

1. His Majesty, the Emperor, issued an imperial order at 1600 on August 16 to the entire armed forces to cease hostilities immediately.

2. It is presumed that said imperial order will reach the front line and produce full effect after the following lapse of time:

A. In Japan proper—forty-eight hours;

B. In China, Manchuria, Korea, and the southern regions, except Bougainville, New Guinea, and the Philippines—six days;

(c) In Bougainville—eight days;

(d) In New Guinea and the Philippines, in the case of various local headquarters—twelve days. But whether and when the order will be received by the first-line units is difficult to foresee.

3. With a view to making the August wish of His Majesty regarding the termination of the war and the above-mentioned Imperial Order thoroughly known to all concerned, members of the imperial family will be dispatched as personal representatives of His Majesty to the headquarters of the Kwantung Army, Expeditionary Forces in China and the forces of the southern regions respectively. The itinerary, type of aircraft markings, etc., will be communicated later. It is ac-

cordingly requested that safe-conduct for the above be granted.

4. As regards the request to dispatch a competent representative accompanied by service advisers to the headquarters of General MacArthur in Manila leaving Sata Misaki in Kyushu on August 17, we feel greatly embarrassed as it is impossible for us to arrange for the flight of our representative on August 17 due to the scarcity of time allowed us. We will, however, proceed at once with necessary preparations and notify General MacArthur as to the date of the flight of such a representative which will take place as soon as possible.

5. It is proposed to make the communications with the Supreme Commander of the Allied Powers in the following manner:

(a) Sender and receiver on the Japanese side the General Headquarters or the Government.

(b) The radio station on the Japanese side Tokyo station, the call sign JNP, frequency 13,740 KCs.

(c) Means of communications—radiograph.

(d) Language—English.

6. We failed to understand the type of airplane described in the communication received from General MacArthur. We request, therefore, that the message be repeated bearing upon the type fully and clearly.

7. To make sure that we have received without fail all the communications sent by General MacArthur, we beg him to repeat once again through the route of communication specified under heading 5 of the present communication.

[Received Aug. 16, 11:30 a. m.]

Regarding item 3 of our first radiogram.

It is expected to leave Kyushu at 9 o'clock on August 17 "Part (three) from the south due to leave on 18" by way of the following route:

The itinerary is subject to some alterations owing to weather and other conditions.

(1) Bound for Manchuria (Tokyo, Yonago, Seoul);

(2) Bound for China (Tokyo-Fukuoka-Shanghai-Nanking);

(3) Bound for the south (Tokyo-Fukuoka-Shanghai (staying one night)-Canton-Tourane-Saigon).

Type and markings of airplanes.

(1) Planes from Manchuria and China are low-winged monoplane, twin-engined, middle-sized transport of Mitsubishi MC-22 type;

(2) Plane from the south is middle-winged monoplane, twin-engined, middle-sized bomber with cigar-shaped fuselage resembling that of B-26.

(3) Markings are sun-flag with red streamer of 4 meters length.

The Headquarters of General MacArthur sent the following reply to the first and second messages received from the Japanese Government and the Japanese General Headquarters:

[Aug. 16.]

Your messages of August 16, nos. 1 and 2, have been received and are satisfactory. Every possible precaution will be taken to insure the safety of the planes bearing the Japanese representatives on their missions. My two messages will be repeated as requested.

Notify this headquarters as soon as possible of the proposed date of flight of the Japanese representatives to Manila. Type of plane desired is the Douglas DC-3 type transport, understood to be your navy-type Zero model 22L2, D3 or your army-type 100 transport plane KI57.

If necessary you are authorized to change the type of plane bearing your Manila representatives giving description thereof.

The following messages were received by the Headquarters of General MacArthur from the Japanese Government and Japanese General Headquarters:

[Received Aug. 16, 7:50 p.m.]

At about noon August 16 a group of some 12 Allied transports approached extremely near the coast of Kochi, Shikoku. At that time the Imperial order to cease hostilities had not yet been issued, and our air units ventured to attack the Allied vessels, apparently causing some damage.

At 4 p.m. the order was issued to cease hostilities as stated in our radiogram No. 1. . . .

[Received Aug. 16, 8:24 p.m.]

(1) It is stated in the message of the President of the U.S.A. transmitted on August 16 through the Swiss Government: "Send emissaries at once to the Supreme Commander for the Allied Powers . . . and fully empowered to make any arrangements directed by the Supreme Commander for the Allied Powers to enable him and his ac-

companying forces to arrive at the place designated by him to receive the formal surrender."

According to this message, the task of the "emissaries" is to be understood to make necessary arrangements for the reception by the Supreme Commander and his accompanying forces for the formal surrender.

(2) However, in the "urgent" message sent by the Supreme Commander to the Japanese Emperor, the Japanese Government, and Japanese General Headquarters, which was received by the Tokyo Radiograph Office and to which reference was made in our first radiogram, it is stated that the Supreme Commander of the Allied Powers further directs the Japanese Imperial Government to send to his headquarters in Manila a competent representative empowered to receive in the name of the Emperor of Japan, the Japanese Imperial Government, and the Japanese Imperial General Headquarters certain requirements for carrying into effect the terms of surrender.

According to this message, it appears that the task of the Japanese representative is to receive "certain requirements for carrying into effect the terms of surrender."

We should like to clarify the following point because the forms and contents of the "full powers" to be issued will be different depending upon your answer.

A. Can we proceed according to the understanding stated in the said item one, assuming that the Supreme Commander's message has the same meaning with the President's message in this respect?

B. If not, please explain exactly what is meant by the "certain requirements for carrying into effect the terms of surrender."

In any way, we assume that the signing of surrender terms is not among the tasks of the Japanese representative in question.

[Received Aug. 17, 1:40 a.m.]

While on our side the Imperial order has already been given to cease hostilities, the Soviet forces are still positively carrying on the offensive, and their spearhead is reaching near a point west of (Mukden) early this morning. As a result, the Japanese forces in Manchukuo are meeting great difficulties in carrying out the Imperial order. It is urgently requested that the Supreme Commander would take proper steps to bring about immediate cessation of the Soviet offensive.

[Received Aug. 17, 3:50 a.m.]

Regarding our Radiogram No. 2:

(1) The parties for China and Manchuria left Tokyo today (Aug. 17) at 9:30 a.m.

(2) The party for the south, reported in our previous message to leave on the 18th, left Tokyo also today at 9:30 a.m. in order to avoid possible delay due to bad weather.

(3) The type and marking of the planes and their routes are as communicated before.

[Received Aug. 17, 12:41 p.m.]

Our representative to Manila selected. Due to necessary internal procedures he is scheduled to leave Tokyo on August 19. Further details will follow.

[Received Aug. 18, 4:43 a.m.]

Regarding the advance notice of a flight schedule of our representatives to Manila, it will be broadcast at 8:00 p. m., August 18, using however the frequency of 16,145 kilocycles, instead of that of 16,124 kilocycles which you designated by your first message of August 16.

[Received Aug. 18, 5:33 a.m.]

The schedule of our planes' movement regarding our representatives flight to Manila: The party will employ two unarmed twin-engined single-winged land attack planes of the Type One, *iti shiki rikujo kogeiki*, with markings as designated by you.

Weather permitting, the planes will leave Kisarazu Airdrome on the 19th at 7 a.m., pass over Sata Misaki on the southern tip of Kyushu at about 11 a.m., and then proceed via Nakanoshima, Takarajima, Torijima, and a point 35 nautical miles north of Ie Shima, reaching Ie Shima at about 1:20 p.m. on the same day.

During the flight over these points, they will take an altitude of 6,000 to 9,000 feet. In approaching Ie Shima, the planes will, as you designated, take the course of 180 degrees and circle the landing field at an altitude of 1,000 feet or below the cloud layer until joined by your escort.

Communication contact of our planes' call signs are JBACY and JBACZ and, as you designated, we desire to contact your airdrome by radio with the frequency of 8,915 kilocycles, besides carrying

on, in flight, voice communication with the frequency of 6,970 kilocycles.

Please notify us of the station designation, the call sign, and frequency of your station at Ie Shima.

General MacArthur's reply follows:

[Aug. 18]

In reply to your message no. 9 dated 18 August, 1945 the aircraft control tower at Ie Shima is designated Moca and will guard 6,970 kilocycles for voice communications.

The air communications center will guard 8,915 kilocycles with the voice call PINBALL and RD7 for voice or code transmissions.

Desire your two airplanes to use the call signs Bataan one and Bataan two as designated in my radio of 15 August.

Messages from Japanese General Headquarters to the Supreme Commander for Allied Forces follow:

[Received Aug. 18, 9:15 p.m.]

The planes carrying the party of representatives have left Kisarazu airdrome on 0718, August 19.

[Received Aug. 19, 2:46 a.m.]

Some of your forces landed on Shimushu Island (Chishima Islands—Jap IHQ) on August 18. Our forces are obliged to resort to arms for self-defence.

Now that hostilities between both parties having been prohibited it is earnestly to be desired that the hostile actions will soon be ceased.

Please acknowledge. Thanks.

[Received Aug. 19, 3:54 a.m.]

Re our telegram number 8, we wish to suspend radio communication over 16,145 kilocycles frequency as we need it for other purposes. Broadcast over 13,740 kilocycles is to be maintained of course. Please answer.

Please acknowledge. Thanks.

[Received Aug. 19, 2:34 p.m.]

Representatives of the Japanese Government arrived in Manila at 5:54 p. m. (as given) 1 zone, or Manila time, August 19.

American-Thai Relations

STATEMENT BY THE SECRETARY OF STATE

[Released to the press August 20]

The Minister of Thailand, M. R. Seni Pramoj, has communicated to the Department of State the text of the proclamation issued by the Regent of Thailand in the name of His Majesty the King on August 16. As regards Thai relations with this country, the proclamation declared null and void, as unconstitutional and contrary to the will of the Thai people, the declaration of war by Thailand on January 25, 1942 against the United States; announced Thai determination to restore the friendly relations which existed with the United Nations before the Japanese occupation; promised that repeal of laws prejudicial to our interests would be considered; assured just compensation for damages resulting from such laws; and pledged full Thai cooperation with the United Nations in establishing world stability.

The action of the Thai Government is a welcome step in American-Thai relations. The Japanese occupation of Thailand took place at the same time as the Japanese attack on Pearl Harbor. The Thai declaration of war was made seven weeks later. The Thai Government was then completely controlled by the Japanese. The American Government has always believed that the declaration did not represent the will of the Thai people. Accordingly we disregarded that declaration and have continued to recognize the Thai Minister in Washington as the Minister of Thailand, although, of course, we did not recognize the Thailand Government in Bangkok as it was under Japanese control.

Immediately following the Japanese occupation of Thailand, the Minister of Thailand in Washington organized a Free Thai movement among those Thai who were outside their country when the Japanese blow fell. The Free Thai have since contributed substantially to the Allied cause.

Soon after the Japanese occupation a resistance movement developed within Thailand. Our Government and the British Government have both given to and received from the resistance movement important aid and for some time past have been in constant communication with its leaders. For a number of months the resistance movement has been prepared to commence overt action

against the Japanese. For operational reasons this Government and the British Government requested that such action be deferred. It was only because of this express request that the resistance movement did not begin open fighting for the liberation of their country before Japanese surrender made such action unnecessary.

Before the war Thailand and the United States had a long history of close friendship. We hope that friendship will be even closer in the future. During the past four years we have regarded Thailand not as an enemy but as a country to be liberated from the enemy. With that liberation now accomplished we look to the resumption by Thailand of its former place in the community of nations as a free, sovereign, and independent country.

LETTER FROM THE MINISTER OF THAILAND TO THE SECRETARY OF STATE

[Released to the press August 20]

AUGUST 17, 1945.

SIR:

I have the honour to communicate to Your Excellency, for the information of the United States Government, the text of the following Proclamation issued by the Regent of Thailand on August 16th, 1945, and unanimously approved on the same day by the National Assembly of Thailand.

"Whereas Thailand had pursued a fixed policy of maintaining strict neutrality and of combating foreign aggression by all means, as is clearly evident from the enactment in B.E. 2484 (1941) of the Law 'Defining the Duties of the Thais in Time of War', this fixed determination was made clear, when Japan moved her forces into Thai territory on the 8th December B.E. 2484 (1941), by acts combating aggression everywhere, and numerous soldiers, police and civilians lost their lives thereby.

"This circumstance, which stands as evidence in itself, shows clearly that the declaration of war on Great Britain and the United States of America on the 25th January B.E. 2485 (1942), as well as all acts adverse to the United Nations, are acts contrary to the will of the Thai people and constitute an infringement of the provisions of the Con-

stitution and the laws of the land. The Thai people inside as well as outside the country, who were in a position to help and support the United Nations who are lovers of peace in this world, have taken action by every means to assist the United Nations as most of the United Nations are already aware. This shows once again that the will of the Thai people does not approve of the declaration of war and of acts adverse to the United Nations as already mentioned.

"Now that Japan has agreed to comply with the declaration of the United States of America, Great Britain, China and the Soviet Union which was made at Potsdam, peace is restored to Thailand as is the wish of the Thai people.

"The Regent, in the name of His Majesty the King, hereby openly proclaims on behalf of the Thai people that the declaration of war on the United States of America and Great Britain is null and void and not binding on the Thai people as far as the United Nations are concerned. Thailand has resolved that the good friendly relations existing with the United Nations prior to the 8th December B.E. 2484 (1941) shall be restored and Thailand is ready to cooperate fully in every way with the United Nations in the establishment of stability in the world.

"As for the territories the occupancy of which Japan entrusted to Thailand, namely, the States of Kelantan, Trengganu, Kedah, Perlis, Kengtung, and Muang Phan, Thailand has no desire for the territories and is ready to arrange for their delivery as soon as Great Britain is ready to take delivery thereof.

"As for any other provisions of law having effects adverse to the United States of America, Great Britain, and the British Empire, their repeal will be considered hereafter. All damages of any kind resulting from those laws will be legitimately made good.

"In conclusion, all the Thai people as well as aliens who are in the Thai kingdom are requested to remain in tranquility and not to commit any act which will constitute a disturbance of public order. They should hold steadfastly to the ideals which have been laid down in the resolutions of the United Nations at San Francisco."

I have the honour to be, With the highest consideration, Sir,

Your obedient servant,

M. R. SENI PRAMOJ

Arrival of T. V. Soong In the United States

T. V. Soong, President of the Chinese Executive Yuan, arrived in Washington on August 16 for consultation with the President and the Secretary of State.

General de Gaulle To Visit United States

[Released to the press by the White House August 13]

After an exchange of views last May between the President of the United States and Mr. Bidault, French Minister of Foreign Affairs, during the course of which the mutual desire of President Truman and General de Gaulle to meet was expressed, it was agreed that the President of the Provisional Government of the French Republic would come to the United States as soon as circumstances permitted.

It has now been agreed that the meeting will take place this month, and August 22 has been fixed for the arrival of General de Gaulle in Washington.

[Released to the press August 18]

As already announced by the White House, General de Gaulle is expected to arrive in Washington on Wednesday afternoon, August 22, at four o'clock. He will be received by the President at the White House with full military honors. The same evening President Truman will give a dinner in the General's honor. On Thursday General de Gaulle will lay a wreath at the Tomb of the Unknown Soldier in Arlington National Cemetery. That evening the Secretary of State will give a dinner in honor of the General at the Mayflower Hotel. On Friday the French Ambassador will give a dinner and on Saturday an afternoon reception at the Embassy, and the General will visit the United States Naval Academy at Annapolis where he will be the guest of Admiral Aubrey Fitch on Saturday, August 25. On Sunday General de Gaulle will depart for New York and before leaving the United States for Canada on August 28 will probably pay a brief visit to Chicago.

Covenant of the League of Nations and Charter of the United Nations: Points of Difference

BY CLYDE EAGLETON¹

THE COMMUNITY OF NATIONS is now engaged in changing over from the Covenant of the League of Nations to the Charter of the United Nations. It is natural, therefore, to compare the two and to inquire as to the differences between them.

Comparison is one of the usual methods of scientific study. It leads in this case to a clearer understanding of both systems and is an excellent means of becoming acquainted with the new United Nations.

Although there is a resemblance between the two systems in structure and general appearance, fundamental differences show, when added up, that the United Nations is quite different in concept and character. Thus, in the League of Nations the Council and the Assembly had a coordinate jurisdiction over most matters; in the United Nations a clear division of function is stated. The Security Council is given primary responsibility for the maintenance of international peace and security; and within the Security Council, a large degree of control is entrusted to the five great powers, which would have, in any case, the actual responsibility for maintaining peace. The United Nations will also exercise control over non-members for purposes of peace and security, thus making the Organization universal in this respect. In order that the United Nations may be really effective in the maintenance of peace, the decisions of the Security Council are binding upon members, who undertake to furnish armed forces or other assistance when the Security Council decides that they are needed.

The other functions of the United Nations are in general put under the supervision of the General Assembly. A much wider provision of institutions and agencies is made through which the

cooperative endeavor of nations may be carried on. An Economic and Social Council and a Trusteeship Council will direct work in their respective fields; and a number of "specialized agencies" are contemplated which are to be organized independently of the United Nations but brought into relation with it. The United Nations has many additional functions to perform, particularly in relation to "human rights and fundamental freedoms".

The United Nations is, in general, a more flexible system than that of the League of Nations. The over-all rule of unanimity is abandoned; no tests of aggression are stated, and the Council is left a wide discretion in determining what constitutes an act of aggression; the specialized agencies have room for more functional operation; there are more bodies of the United Nations which can ask the Court for an advisory opinion or which can call to the attention of the Security Council matters dangerous to peace. This flexibility leaves to each member state freedom of decision and complete protection over matters of domestic jurisdiction; at the same time, it affords the widest possible opportunity and encouragement for cooperation in those fields in which sovereign states wish to cooperate.

A more detailed, though not exhaustive, list of points of difference between the League of Nations and the United Nations is given below. The relative merits of the two systems will always be, with regard to each point, a matter of subjective judgment for the reader, but there would be general agreement, it seems safe to say, that in most of these specific comparisons the new system represents an improvement over the League of Nations.

¹ Mr. Eagleton is Legal Expert in the Division of International Organization Affairs, Office of Special Political Affairs, Department of State.

Constitutional Characteristics

1. One of the grounds upon which the Covenant of the League of Nations was criticized in the United States was that it was part of the treaties of peace at the end of the last World War. The Charter of the United Nations is an independent instrument which has nothing to do with war issues but which deals exclusively with the international Organization. Indeed, article 107 dissociates the United Nations entirely from responsibility for action in relation to the enemy states.²

2. The Charter contains a statement of purposes and principles for the guidance of the Organization and its members which was not found in the Covenant of the League (arts. 1 and 2).

3. Although article 17 of the Covenant of the League enabled the Council to intervene in disputes to which non-members were parties, the Charter of the United Nations is more definitely applicable to non-members: So far as the maintenance of peace and security is concerned, a non-member may be subjected to the same principles and procedures as a member, although of course without the rights of a member (e. g. art. 2, par. 6; art. 32; art. 35, par. 2).

4. An effort was made, in the League system (art. 24), to centralize all international activities under one organization. In the United Nations system, a purposed decentralization leaves many international activities under independently organized specialized agencies. These agencies, it is intended, should be brought into relation with the United Nations, which should coordinate their activities (art. 57).

5. The most characteristic feature of the United Nations system is the concentration of authority, for purposes of international peace and security, in the hands of the five great powers. Under the Charter, only these five states are given the right of veto; under the Covenant, every member of the Council had that right. The security function in the League was shared by and might be transferred to the Assembly; the Security Council

of the United Nations is given the exclusive right to make decisions in this field. Also, the five powers are authorized to act together, in the period until the Security Council has forces at its disposal, for the maintenance of peace and security in the world.

6. Amendment of the Covenant of the League required a unanimous vote of the Assembly (thus giving any member of the League a veto) and ratification by two thirds of the members, including all members of the Council. Amendment of the Charter of the United Nations requires a two-thirds vote in the General Assembly and ratification by two thirds of all members, including the permanent members of the Security Council (thus giving an individual veto only to the five states having permanent seats). The Charter has an additional article authorizing a general conference for review of the Charter to be held at a time and place fixed by a two-thirds vote of the Assembly and any seven members of the Security Council. If such a conference has not been held within ten years, it is automatically placed upon the agenda at the General Assembly and will be held if a majority of the Assembly and any seven members of the Security Council so vote (arts. 108 and 109).

7. Article 104 of the Charter assures to the United Nations such legal capacity as may be necessary for the exercise of its functions and the fulfilment of its purposes. The lack of such a provision in the Covenant led to numerous debates concerning the juridical status of the League of Nations.

Structure and General Procedure

8. In both systems, membership is open to any state regarded as able and willing to meet the obligations of membership, and in both, new members are admitted by two-thirds vote of the Assembly, though the Security Council, under the Charter, must recommend a state for admission (art. 4). Both systems allow also for the expulsion of members: Under the Covenant, by the Council; and under the Charter, by the General Assembly upon recommendation of the Security Council. The Covenant provided for withdrawal by a member on two years' notice and on condition that its international obligations had been met (art. 1 [par. 3]); no mention whatever of withdrawal is found in

² For text of the Charter of the United Nations, see BULLETIN of June 24, 1945, p. 1119, and also Department of State publication 2353, Conference Series 74. For text of the Covenant of the League of Nations see III *Treaties, Conventions, International Acts, Protocols and Agreements Between the United States of America and Other Powers* (Redmond, 1923) 3154.

the Charter.³ The Charter contains an additional provision, however, not found in the Covenant, according to which a member may be suspended from the exercise of the rights and privileges of membership by the General Assembly on recommendation by the Security Council (arts. 5 and 6).

9. Although the principal organs of the League of Nations and the United Nations appear to be similar, the United Nations Charter provides a much clearer division of functions between Council and Assembly than did the Covenant of the League of Nations. Under the Charter primary responsibility for security matters is placed upon the Security Council. On the other hand, the General Assembly has exclusive control over all other matters. In the League system the two bodies in general had competence over the same fields. The United Nations has also an Economic and Social Council and a Trusteeship Council, and various specialized agencies are contemplated.

10. While the provision for meeting the expenses of the Organization is much the same in both, the Charter provides a sanction against the non-payment of dues for which there was no correlative provision in the Covenant (art. 19).

11. A general rule for voting was put into article 5 of the Covenant; provisions for voting are stated separately for each organ of the United Nations. It is an important gain, however, that the unanimity rule, which was of general application in the League system, is abandoned in the Charter of the United Nations. In the Security Council, only the five states having permanent seats thereon have an individual veto, and no veto is possible in the General Assembly (art. 27). Under the League Covenant, each member had a veto in any organ of the League, with very few specified exceptions.

The Security Council

12. With regard to the composition of the Council, permanent and non-permanent members are provided in each system. The Covenant authorized the Council, with the approval of the majority of the Assembly, to name other permanent members of the Council (art. 4 [par. 2]); the Charter makes no provision, except amendment, for changing the status of the permanent members. No qualifications are set in either case for permanent members, but the Charter provides that cer-

tain stated criteria must be taken into account in the choice of non-permanent members of the Security Council (art. 23).

13. The Covenant of the League called for at least one meeting of the Council a year (art. 4, [par. 3]), although in practice the Council met three or four times a year. The Charter of the United Nations requires the Security Council to be organized so that it will be able to function continuously, and it obligates each member of the Council to have a representative at all times at the seat of the Organization (art. 28).

14. In both the Council of the League and the Security Council of the United Nations, each state has only one vote. In the Council of the League, however, action upon any substantive matter required a unanimous vote of all its members; in the Security Council, on non-procedural matters a decision may be taken by a vote of seven of the eleven members, provided this includes all members having permanent seats. Thus, in the Council of the League any member had a veto, whereas in the Security Council only five states have such a right.

With regard to the vote of the parties to a dispute, the Covenant of the League specifically excepted such votes under article 15, though it did not do so under article 11. The Charter requires a disputant to abstain from voting in any case of pacific settlement of disputes to which it is a party (art. 27).

The Security Functions

15. When the Security Council, having decided that a threat to or breach of the peace, or act of aggression, has occurred, determines upon enforcement measures to be taken, then members of the United Nations are obligated to carry out the decisions of the Security Council in accordance with the Charter (art. 25 and ch. VII). Under the Covenant of the League of Nations, and under the interpretative resolutions of 1921-22, each member could decide for itself whether an aggression had been committed which obligated it to take action under article 16 of the Covenant, and that member was obligated only after it had itself made that decision.

³ It was, however, explained in the Report to the President that "withdrawal is permissible but it will have to be justified" (*Report to the President on the Results of the San Francisco Conference by the Chairman of the United States Delegation, the Secretary of State*. Department of State publication 2349, p. 49).

16. No tests or definitions of aggression are provided in the Charter of the United Nations. The Security Council has much more freedom of action than had the Council of the League in determining what constitutes a threat to or breach of the peace, or act of aggression, which authorizes action against an aggressor (art. 39). Under article 16 of the League Covenant, action could be taken only in case of "resort to war in disregard of its covenants under Articles 12, 13 or 15"; under the Charter, no restriction is set upon the power of the Security Council to determine that any dispute or situation is a threat to the peace, breach of the peace, or act of aggression.

17. In neither instrument is war declared to be illegal. The Charter, however, makes a large advance over the Covenant by omitting the word "war" and forbidding *the use of force* by a state in a manner inconsistent with the purposes of the Organization (art. 2, par. 4, and ch. VII).

18. Under the Covenant, members guaranteed to respect and preserve against external aggression the territorial integrity and existing political independence of all members of the League (art. 10). Under the Charter, members undertake to refrain from the threat or use of force against the territorial integrity or political independence of any state in a manner inconsistent with the purposes of the United Nations (art. 2, par. 4).

19. The Charter of the United Nations obligates members to supply armed forces or facilities or other assistance, while under the Covenant the Council could only recommend that members should contribute certain amounts. The obligation in the Charter is, however, to be implemented by subsequent agreements specifying the contribution to be made by each member; and if and when the agreements for supply of forces by members have been made under article 43 of the Charter, the United Nations will have behind its decisions a military strength, derived from the obligation upon its members, which was never available to the League of Nations. During the interim until these agreements are made, provision is made in chapter XVII for the maintenance of security and peace by the five powers.

20. Chapter VII of the Charter more definitely contemplates and more specifically provides for military enforcement measures than did the Covenant of the League. The League system included a Permanent Advisory Commission to advise the

Council on reduction of armaments and on military matters in general. The Charter establishes a Military Staff Committee with specific functions concerning all military requirements for the maintenance of international peace and security, including the employment and command of forces used for this purpose (arts. 45-47).

21. The League of Nations had some difficulty in securing its participation in non-military measures, since it was held that members were not obligated by a decision of the Council in this respect. By article 41 of the Charter, as well as by article 25, it is clear that members of the United Nations are obligated to apply such measures upon call of the Security Council.

22. The Covenant spoke in more detail concerning reduction of armaments than does the Charter. The Security Council is, however, instructed to formulate plans for a system for the regulation of armaments with the assistance of the Military Staff Committee (art. 26). The Covenant spoke only of "reduction of armaments"; the Charter refers to "regulation of armaments".

Settlement of Disputes

23. Article 33 of the Charter emphasizes, as the first step, the obligation of parties to a dispute to seek a settlement by means of their own choice. This obligation was not stated as such in the Covenant, though it was doubtless assumed as a preliminary step.

24. Article 37 of the Charter requires all disputes which have not been settled by means of the parties' own choice to be submitted to the Security Council. Under articles 12, 13, and 15 of the Covenant, legal disputes were required to be submitted to arbitration or judicial settlement, and other disputes, to the Council.

25. Under the Charter of the United Nations, no provision is made for enforcement of terms of settlement, except the limited provision regarding a decision of the Court found in article 94, paragraph 2. By article 15 [paragraph 6] of the Covenant, members of the League undertook not to go to war against any party to a dispute which complied with a unanimous recommendation of the Council.

26. The League of Nations and the Permanent Court of International Justice were separate institutions, though with some connections. The In-

ternational Court of Justice is designated as the chief judicial organ of the United Nations; its Statute is an integral part of the Charter of the United Nations; and all members of the latter are *ipso facto* parties to the Statute of the Court. In neither system, however, does the Court have compulsory jurisdiction, except so far as is conferred upon it by the Optional Clause, or by treaties of arbitration or other treaties. (Ch. XIV.)

27. The Covenant provided that the Council or Assembly could ask an advisory opinion of the Court (art. 14). The Charter does the same but provides additionally that other organs of the United Nations or specialized agencies, when so authorized by the General Assembly, may also request advisory opinions (art. 96).

The General Assembly and Its Functions

28. As has been suggested above, the functions of the General Assembly are more clearly differentiated from those of the Security Council under the Charter than under the Covenant. In comparison with the Security Council, it has a more exclusive field of activity, since the Council can deal only with peace and security; on the other hand, the Assembly, although with much more limited authority, can deal with these and with practically all other international matters.

29. A dispute, under the League system, might be referred to and handled by the Assembly. Under the Charter, the Assembly may discuss and make recommendations concerning a dispute, but it can make recommendations only if the matter is not being dealt with by the Security Council (art. 12).

30. A more detailed structure for handling international cooperative activities, especially economic, social, and humanitarian advancement, is provided than was found in the League Covenant. The Assembly was the only organ provided by the Covenant for these purposes; under the Charter, there is to be an Economic and Social Council, with such commissions as it may need; a Trusteeship Council; and various agencies specializing in particular fields.

31. The Charter states more fully the specific functions and objectives aimed at, such as human rights, higher standards of living, full employment, cultural and educational cooperation, or the development of international law.

32. Although the Assembly under the Covenant

had more control over the Council than the General Assembly does under the Charter (e.g. as to its composition), the latter has, in the new system, a more exclusive supervision over other agencies, such as the new Economic and Social Council or the new Trusteeship Council. Under the Covenant, Council and Assembly both had authority over such organs. The General Assembly is more of an over-all directing agency under the Charter than was the Assembly under the Covenant.

33. Voting upon substantive matters in the General Assembly is by a two-thirds majority (art. 18); voting in the Assembly of the League of Nations required unanimity. In both cases, procedural matters are determined by a majority.

Secretariat

34. The Secretary-General is chosen in the same manner under both systems. His functions under the Charter, however, are broader. He acts as Secretary-General for all the chief organs of the United Nations; he is required to make an annual report to the General Assembly (art. 98); and he is given the important additional authority to bring to the attention of the Security Council any matter which may, in his opinion, threaten peace and security (art. 99).

35. The staff of the secretariat is in both cases chosen by the Secretary-General, but where the Covenant required approval by the Council (art. 6) the Charter submits his choice to regulations established by the General Assembly (art. 101).

36. The Charter contains qualifications for the staff which, with the exception of the provision concerning equal opportunity for both sexes, were not stated in the Covenant. Article 100 of the Charter obligates both members and staff to respect the international position and responsibility of staff members; and article 101 states as the paramount consideration in employment efficiency, competence, and integrity, though due regard is to be given to the geographical basis of selection.

International Law and Treaties

37. The principle that international law should furnish the rule of conduct in the achievement of peace and security was vaguely referred to in the Preamble to the Covenant of the League. More precise legal effect is given to this idea in the Charter by stating in the first article of the text that disputes should be settled in conformity with the principles of justice and international law.

38. The Charter states as one of the functions of the General Assembly the development of international law (art. 13). The Covenant of the League contained no such statement, although the League actually did perform this function in practice.

39. The provision with regard to "domestic questions" is stated in broader terms under the Charter. Under the Covenant of the League, the Council could make no recommendation upon a dispute which the Council found to be a matter which, by international law, was solely within the domestic jurisdiction of a state (art. 15, [par. 8]), and the application of this clause was limited to disputes. The Charter provision is put among the principles and therefore applies to all parts of the Charter; it does not include, as did the Covenant, the right of the Security Council to decide whether a matter is a domestic question or the requirement that the decision be made according to international law.

40. With regard to treaties, both instruments require that every treaty and every international engagement entered into by members shall be registered and published; but, where the Covenant stipulates that no such treaty shall be binding unless registered, the Charter (art. 102) says that a treaty not registered cannot be invoked before any organ of the United Nations. Both instruments provide, in effect, that obligations thereunder contracted prevail over obligations assumed by members under any other agreement.

41. The Covenant of the League contained an ineffective article with regard to revision of treaties; the Charter of the United Nations makes no specific mention of this problem but encourages in various ways the adjustment of situations which might lead to friction (arts. 1, 10, 14; chs. IX and X).

Trusteeship

42. Article 22 of the Covenant of the League was to apply "To those colonies and territories which as a consequence of the late war have ceased to be under the sovereignty of the States which formerly governed them . . .". Article 77 of the Charter of the United Nations applies the trusteeship provisions "to such territories in the following categories as may be placed thereunder by means of trusteeship agreements"; the categories mentioned are (1) territories now under

mandate, (2) territories detached from the enemy as a result of the second World War, and (3) other territories voluntarily placed thereunder.

43. The provisions of the Covenant applied only to peoples placed under mandate; chapter XI of the Charter establishes standards for dependent peoples whether or not under trusteeship.

44. The Covenant provided a Mandates Commission, which was a group of experts not representing their own states; the Charter elevates the Trusteeship Council to the rank of a principal organ composed of the official representatives of designated states (ch. III).

45. Under the League of Nations, no military use could be made of a mandated territory. The Charter of the United Nations allows for military contributions in such areas, whether for international peace and security or for local defense. It also distinguishes strategic areas, under the Security Council, from non-strategic areas, under the General Assembly and the Trusteeship Council (arts. 82, 83, 84, 85).

46. The mandates of the League of Nations were in a rigid classification known as *A*, *B*, and *C* mandates. The trusteeship system of the United Nations is more flexible in that a separate agreement is to be made with regard to each trust area (art. 81).

47. The trusteeship provisions of the Charter state more fully and more definitely than did the Covenant such objectives as development toward self-government or independence and respect for human rights and fundamental freedoms (art. 76).

Regional Arrangements

48. The Covenant of the League contained a vague and negative statement in article 21: "Nothing in this Covenant shall be deemed to affect the validity of international engagements, such as treaties of arbitration or regional understandings like the Monroe doctrine, for securing the maintenance of peace." The Charter of the United Nations permits and encourages, though it does not create, "regional arrangements and agencies" for the maintenance of regional peace, provided they are consistent with the purposes and principles of the United Nations.

49. The League had no provision for settlement of disputes by regional means. Under article 52 of the Charter, both members and the Security Council are to encourage the pacific settlement

of local disputes by regional agencies before they are referred to the Security Council.

50. The League made no provision for "sanctions", or enforcement measures, on a regional basis. The Charter permits the Security Council to make use of regional arrangements or agencies

for enforcement action, but carefully insures that such action shall be under its authority, and that no regional enforcement action shall be taken without the authorization of the Security Council—though the individual and collective right of self-defense is maintained under article 51.

Air Transport Services Agreement Between United States and Switzerland

INTERIM AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND SWITZERLAND RELATING TO AIR TRANSPORT SERVICES

Having in mind the resolution recommending a standard form of agreement for provisional air routes and services, included in the final act of the International Civil Aviation Conference signed at Chicago on December 7, 1944, and the desirability of mutually stimulating and promoting the sound economic development of air transportation between the United States of America and Switzerland, the two governments parties to this arrangement agree that the establishment and development of air transport services between their respective territories shall be governed by the following provisions:

Article 1

The Contracting Parties grant the rights specified in the Annex hereto necessary for establishing the international civil air routes and services therein described, whether such services be inaugurated immediately or at a later date at the option of the Contracting Party to whom the rights are granted.

Article 2

(a) Each of the air services so described shall be placed in operation as soon as the Contracting Party to whom the rights have been granted by Article 1 to designate an airline or airlines for the route concerned has authorized an airline for such route, and the Contracting Party granting the rights shall, subject to Article 6 hereof, be bound to give the appropriate operating permission to the airline or airlines concerned; provided that the airlines so designated may be required to qualify before the competent aeronautical authorities of the Contracting Party granting the rights under

the laws and regulations normally applied by these authorities before being permitted to engage in the operations contemplated by this Agreement; and provided that in areas of hostilities or of military occupation, or in areas affected thereby, such inauguration shall be subject to the approval of the competent military authorities.

(b) It is understood that either Contracting Party granted commercial rights under this Agreement should exercise them at the earliest practicable date except in the case of temporary inability to do so.

Article 3

In order to prevent discriminatory practices and to assure equality of treatment, both Contracting Parties agree that:

(a) Each of the Contracting Parties may impose or permit to be imposed just and reasonable charges for the use of public airports and other facilities under its control. Each of the Contracting Parties agrees, however, that these charges shall not be higher than would be paid for the use of such airports and facilities by its national aircraft engaged in similar international services.

(b) Fuel, lubricating oils and spare parts introduced into the territory of one Contracting Party by the other Contracting Party or its nationals, and intended solely for use by aircraft of such other Contracting Party shall be accorded national and most-favored-nation treatment with respect to the imposition of customs duties, inspection fees or other national duties or charges by the Contracting Party whose territory is entered.

(c) The fuel, lubricating oils, spare parts, regular equipment and aircraft stores retained on board civil aircraft of the airlines of one Contracting Party authorized to operate the routes and services described in the Annex shall, upon arriv-

ing in or leaving the territory of the other Contracting Party, be exempt from customs, inspection fees or similar duties or charges, even though such supplies be used or consumed by or aboard such aircraft on flights in that territory.

Article 4

Certificates of airworthiness, certificates of competency and licenses issued or rendered valid by one Contracting Party shall be recognized as valid by the other Contracting Party for the purpose of operating the routes and services described in the Annex. Each Contracting Party reserves the right, however, to refuse to recognize, for the purpose of flight above its own territory, certificates of competency and licenses granted to its own nationals by another State.

Article 5

(a) The laws and regulations of one Contracting Party relating to the admission to or departure from its territory of aircraft engaged in international air navigation, or to the operation and navigation of such aircraft while within its territory, shall be applied to the aircraft of the other Contracting Party, and shall be complied with by such aircraft upon entering or departing from or while within the territory of the first Party.

(b) The laws and regulations of one Contracting Party as to the admission to or departure from its territory of passengers, crew, mail or cargo of aircraft, such as regulations relating to entry, clearance, immigration, passports, customs, and quarantine shall be complied with by or on behalf of such passengers, crew, mail or cargo of the other Contracting Party upon entrance into or departure from, or while within the territory of the first Party.

Article 6

Each Contracting Party reserves the right to withhold or revoke a certificate or permit to an airline of the other Party in any case where it is not satisfied that substantial ownership and effective control are vested in nationals of either Party to this Agreement, or in case of failure of an airline to comply with the laws of the State over which it operates as described in Article 5 hereof, or to perform its obligations under this Agreement.

Article 7

This Agreement and all contracts connected therewith shall be registered with the Provisional International Civil Aviation Organization.

Article 8

This Agreement shall become effective on the date of the diplomatic notes to which it is annexed.

Either Contracting Party may terminate this Agreement, or the rights for any of the services granted thereunder, by giving one year's notice to the other Contracting Party.

Article 9

In the event either of the Contracting Parties considers it desirable to modify the routes or conditions set forth in the attached Annex, it may request consultation between the competent authorities of both Contracting Parties, such consultation to begin within a period of sixty days from the date of the request. When these authorities mutually agree on new or revised conditions affecting the Annex, their recommendations on the matter will come into effect after they have been confirmed by an exchange of diplomatic notes.

ANNEX TO INTERIM AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND SWITZERLAND RELATING TO AIR TRANSPORT SERVICES

A. Airlines of the United States of America authorized under the present Agreement are accorded rights of transit and non-traffic stop in Swiss territory, as well as the right to pick up and to discharge international traffic in passengers, cargo and mail at Geneva (or other suitable airport) on the following route:

The United States, over a North Atlantic route to Ireland and thence to Paris and Switzerland, and beyond to Italy, Greece, and the Near and Middle East, via intermediate points; in both directions.

B. Airlines of Switzerland authorized under the present Agreement are accorded rights of transit and non-traffic stop in the territory of the United States of America, as well as the right to pick up and discharge international traffic in passengers, cargo and mail at New York, on the following route:

Switzerland, via intermediate points (non-traffic stops), to New York; in both directions.

Resignation of Joseph C. Grew as Under Secretary of State

EXCHANGE OF LETTERS BETWEEN THE PRESIDENT AND MR. GREW

[Released to the press by the White House August 16]

AUGUST 15, 1945.

DEAR MR. PRESIDENT:

When President Roosevelt and Mr. Stettinius as Secretary of State asked me last December to take the position of Under Secretary of State, I accepted, with high appreciation, for the duration of the war. The war now being over, I respectfully request that my resignation, submitted when you became President, be accepted. Having served our Government for forty-one years and having passed the age of retirement from the Foreign Service, I feel that the proper time has come to lay down the responsibility of public office.

Please permit me, Mr. President, to express to you my enduring gratitude for the confidence you have placed in me, the deep satisfaction which I shall always retain in the privilege of working closely with you during the months when I was Acting Secretary of State, and my full appreciation of the fine support you gave me at difficult moments in the conduct of our foreign relations.

With high respect and admiration, I am

Faithfully yours,

JOSEPH C. GREW

AUGUST 16, 1945.

DEAR JOE:

Replying to your letter of the fifteenth, I am regretfully acceding to your request that you be permitted to resign as Under Secretary of State. I know that after more than two score years of service you are certainly entitled to some rest and relief from the burdens of government.

I am delighted, however, that you have assured the Secretary of State that you are going to be available to him for advice and consultation, and for any service that he may require.

May I on behalf of the nation give you this personal word of thanks for your long, faithful and efficient service during all these years. I am sure that you can look back with great satisfaction on your long career of public service.

I shall miss our close personal relationship of the past few months and hope you will come to see me from time to time.

Very sincerely yours,

HARRY S. TRUMAN

LETTER FROM THE SECRETARY OF STATE

[Released to the press August 16]

AUGUST 16, 1945.

DEAR MR. GREW:

I am indeed sorry that you are leaving the Department to which for more than two score years you have given distinguished and devoted service of the highest order. In those years you have made most notable contributions to the development of our foreign policy and to the improvement of the Foreign Service. In those years you have acquired knowledge and experience, particularly of the problems in the Far East, which have been of inestimable value to our country in the critical war period.

I appreciate that you desire and are entitled to some rest from active service. But I am glad to have your assurance that I may freely call upon you for advice and counsel which I am sure will be most helpful to me.

I also want you to know how very much I personally appreciate your constant helpfulness to me during the brief period we have worked in close association in the Department.

With fond regards and best wishes,

Sincerely yours,

JAMES F. BYRNES

Resignation of J. C. Holmes as Assistant Secretary of State

EXCHANGE OF LETTERS BETWEEN THE PRESIDENT AND MR. HOLMES

[Released to the press by the White House August 17]

MY DEAR MR. PRESIDENT:

In December of last year President Roosevelt asked me to accept appointment as Assistant Secretary of State. At that time I was in the Army serving as a member of General Eisenhower's staff. My plans were to return to private business at the end of the war and I had no desire for further Government service. However, when I was told that the appointment represented a change in war assignment by the Commander-in-Chief, I naturally accepted.

The war is now over and I, therefore, ask that my resignation, placed in your hands at the time you assumed office, be accepted.

Gratefully yours,

J. C. HOLMES

AUGUST 17, 1945.

MY DEAR GENERAL:

I have your letter asking that I accept the resignation placed in my hands when I assumed office. I have been advised by the Secretary of State that you had planned to return to private business at the end of the war and accepted the appointment as Assistant Secretary of State as a war assignment by the Commander-in-Chief.

I wish to express my deep appreciation of the splendid service you rendered in the Army and of the equally effective contribution you have made to the war effort in the office you now relinquish. I can understand and appreciate your desire to return to private business and want you to know that you have my best wishes for success in whatever field you enter.

With cordial regards, I am

Sincerely yours,

HARRY S. TRUMAN

LETTER FROM THE SECRETARY OF STATE

[Released to the press August 17]

AUGUST 17, 1945.

DEAR GENERAL HOLMES:

I realize, as you have explained to me in your letter of August 17, that when you accepted the appointment as Assistant Secretary of State, you accepted it only as a change in your war assignment desired by the Commander-in-Chief. In these circumstances I do not feel that I should stand in the way of your desire to return to private business.

I know of the distinguished services you rendered to your country in your war assignment over-

seas. I know also the valuable work which you have done in the Department of State since your return. You have every reason to be proud of the contribution you have made to the country's war effort.

With all good wishes,

Sincerely yours,

JAMES F. BYRNES

Honorable J. C. HOLMES

*Assistant Secretary of State
Washington, D. C.*

Resignation of Archibald MacLeish as Assistant Secretary of State

EXCHANGE OF LETTERS BETWEEN THE PRESIDENT AND MR. MACLEISH

[Released to the press by the White House August 17]

AUGUST 15, 1945.

MY DEAR MR. PRESIDENT:

I have the honor to request that my resignation as Assistant Secretary of State, submitted to you on April 13, be now accepted.

The duties of the position to which I was appointed by President Roosevelt have materially altered with the adoption of the United Nations Charter and the termination of the war, and the personal reasons which led me to ask to be released from the government service over a year ago are even more compelling today than they were then.

I deeply appreciate the privilege of having served the Government of the United States over the six years now past, and I shall always value the honor you have done me in permitting me to be associated with your Administration during the critical months which have now so happily ended. All those who were connected, in whatever capacity, with the work of this Department in the last days of the war have the most immediate and personal reasons to share the universal admiration of the courage and statesmanship with which you and the Secretary of State faced the most critical decision in the history of the nation.

Very respectfully yours,

ARCHIBALD MACLEISH

AUGUST 17, 1945.

DEAR MR. MACLEISH:

I have your letter insisting that I accept your resignation as Assistant Secretary of State, which resignation was submitted to me on April 13.

I deeply appreciate your willingness to continue in office during the consideration of the United Nations Charter. All of us realize the wonderful work you did to bring about the adoption of the

Charter and I know that the unanimity of action was a source of great gratification to you.

However, your contribution to the war effort was not confined to your work for the Charter. In the critical months that have passed you have rendered splendid service to your government. I wish to express my sincere appreciation of that service.

I know that you wanted to be released from the government service more than a year ago. It was good of you to remain and I do not feel that I should now ask you to make a greater sacrifice.

With best wishes, I am

Sincerely yours,

HARRY S. TRUMAN

LETTER FROM THE SECRETARY OF STATE

[Released to the press August 17]

AUGUST 16, 1945.

DEAR ARCHIE:

I appreciate the compelling personal reasons which make it impossible for you to continue longer in government work.

I know, however, your deep interest in developing wide-spread understanding both in this country and abroad of the significance of active cooperation between ourselves and other peace-loving nations in the maintenance of peace. I am sure that your resignation from the government service will not affect your interest and that I may continue to turn to you for help and guidance.

You may justly be proud of what you have done to make the idea of the United Nations a living reality in the minds and hearts of the American people.

With fond regards and good wishes,

Sincerely yours,

JAMES F. BYRNES

Honorable ARCHIBALD MACLEISH,
Washington, D. C.

Regarding Conclusion of Peace Treaty With Recognized Democratic Government of Bulgaria

Statement by THE SECRETARY OF STATE

[Released to the press August 18]

With regard to the provisions of paragraph X of the report on the Berlin Conference concerning the conclusion of a peace treaty with a recognized democratic government of Bulgaria, and having in mind the elections now scheduled to be held there on August 26, 1945, the Department has instructed the United States Political Representative in Bulgaria to convey to the Bulgarian Government the following views of the United States Government:

The United States Government has been desirous of recognizing and establishing diplomatic relations with a provisional Bulgarian government which would be representative of all important elements of democratic opinion and which would arrange for free and untrammelled elections under conditions which would safeguard the free expres-

sion of political views and the free exercise of political rights.

The information available to the United States Government has not satisfied it that the existing provisional Bulgarian Government is adequately representative of the important elements of democratic opinion or that the existing government has arranged for the scheduled elections to take place under conditions which will allow and insure the effective participation therein, free from the fear of force and intimidation, of all democratic elements.

In the opinion of the United States Government the effective participation of all important democratic elements in the forthcoming election is essential to facilitate the conclusion of a peace treaty with a recognized democratic government. The will of the majority of the people can be determined only if all the people are able to vote free from force and intimidation.

Inquiries on American Citizens in Hungary

[Released to the press August 18]

The State Department announces for the benefit of many inquirers that it is not yet possible for individuals in the United States to send either personal letters or relief shipments to persons in Hungary, since adequate mail facilities there and between the United States and Hungary have not yet been restored.

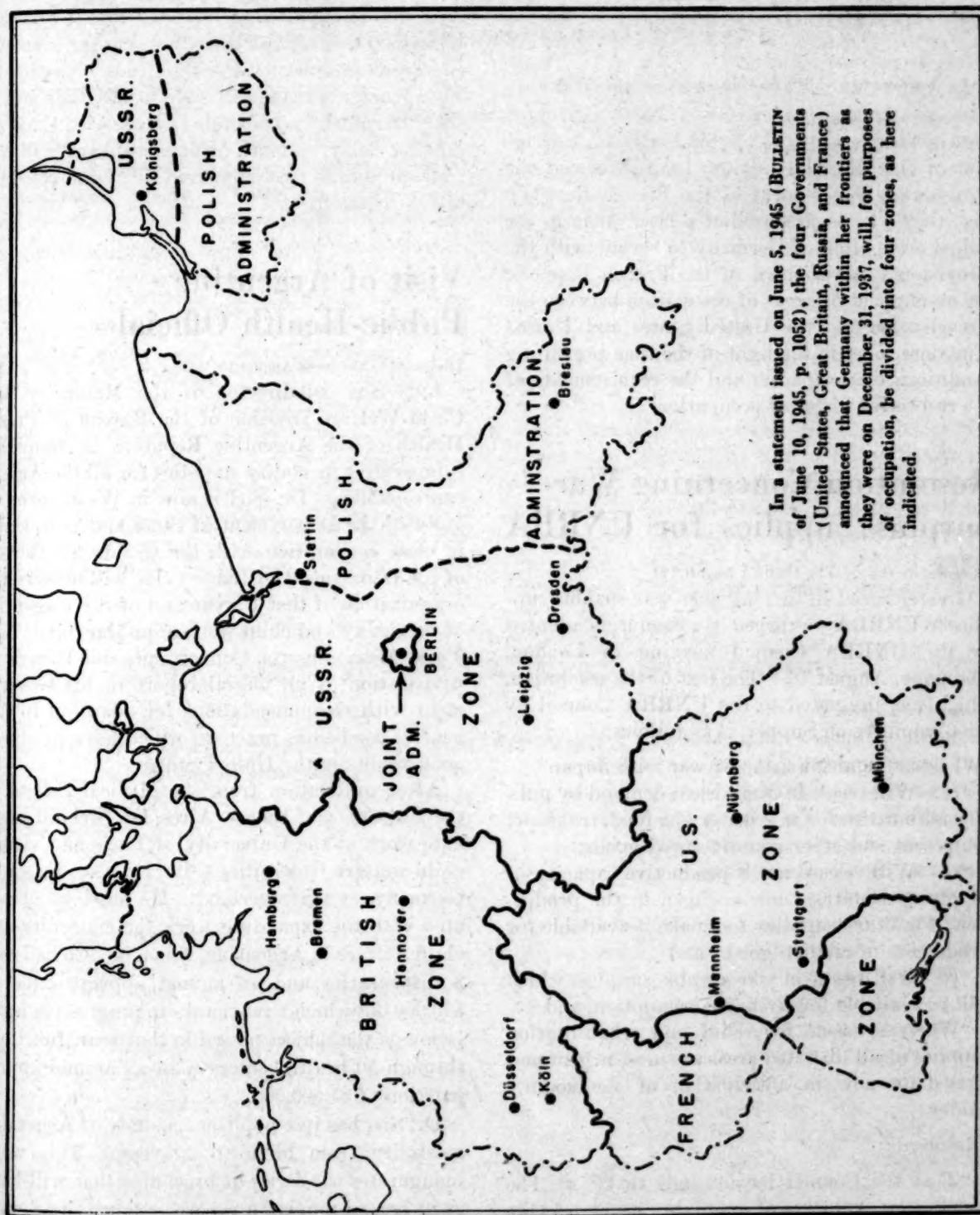
The State Department at Washington will accept inquiries concerning American citizens. Inquiries regarding alien relatives of American citizens will also be accepted. These will be taken care of by the American Mission at Budapest to whatever extent it may be found feasible. In existing circumstances extensive delays in processing replies will be inevitable.

The Department has observed that articles have appeared in the foreign-language press in various sections of the United States to the effect that inquiries concerning relatives in Hungary may be addressed to the Allied Control Commission there through the Department of State. So far as the Department is aware the handling of welfare and

whereabouts inquiries concerning and messages for persons in Hungary is not one of the functions of the Allied Control Commission there, and therefore such inquiries and messages received by the Department will have to be returned to the senders.

In order to be of the greatest possible assistance to American citizens in Hungary the Department accepts limited funds for transmission to them through official channels and will continue to do so until normal banking channels are once more available. This service cannot be extended to persons in Hungary who are not citizens of the United States. As an exceptional measure the Department is undertaking the transmission of funds to the alien relatives abroad of American servicemen, either on active duty or honorably discharged, but owing to limited facilities to effect payment has found it necessary to stipulate that funds will be accepted only for the benefit of the parents, brothers, sisters, spouses, and children of military personnel.

GERMANY: ZONES OF OCCUPATION



In a statement issued on June 5, 1945 (BULLETIN of June 10, 1945, p. 1052), the four Governments (United States, Great Britain, Russia, and France) announced that Germany within her frontiers as they were on December 31, 1937, will, for purposes of occupation, be divided into four zones, as here indicated.

Concerning French Zone of Occupation of Germany

[Released to the press August 15]

In connection with the announcement of the respective Allied zones of occupation in Germany, the Governments of the United States of America and of the United Kingdom have informed the Provisional Government of the French Republic that they will be prepared at a later stage in the Allied occupation of Germany to review with the Provisional Government of the French Republic the assignment of areas of occupation between the French zone and the United States and United Kingdom zones in the light of the then prevailing conditions of occupation and the requirements of the respective forces of occupation.

Resolution Concerning War-Surplus Supplies for UNRRA

[Released to the press by UNRRA August 17]

Greater speed in turning over war-surplus supplies to UNRRA was urged in a resolution adopted by the UNRRA Council meeting in London, Thursday, August 16. The text of the resolution, which was presented to the UNRRA Council by the Committee on Supply, is as follows:

"Whereas the termination of war with Japan

"(a) Will result in diminished demand by military authorities for raw materials, food, transport equipment and other manufactured goods,

"(b) Will release much productive capacity of supplying countries now engaged in the production of military supplies and make it available for production of civilian goods, and

"(c) Will result in war surplus supplies which will be available for civilian consumption, and

"Whereas, needs for relief and rehabilitation supplies of all liberated areas are most urgent and immediate now in anticipation of the coming winter:

"Resolved:

"That the Council recommends that '(a) The member governments of supplying countries take such measures in relation to the production, distribution, and shipping of supplies as are neces-

sary to insure prompt and equitable flow from current stocks and new production of relief and rehabilitation supplies to liberated areas; (b) The highest authorities of the supplying governments concerned instruct their military and civilian supply agencies to make available to UNRRA and to the governments of liberated areas, with the least possible delay, as much as practicable of war surplus supplies to meet approved relief and rehabilitation requirements.'"

Visit of Argentine Public-Health Official

[Released to the press August 13]

Luis Siri, subdirector of the Maternity and Child Welfare Division of the Bureau of Public Health of the Argentine Republic, is compiling comparative mortality statistics for all the American republics. Dr. Siri is now in Washington as guest of the Department of State and is working in close cooperation with the Children's Bureau of the Department of Labor. He will observe the organization of that Bureau and of State agencies of maternity and child welfare in Maryland, New York, Massachusetts, Connecticut, and Illinois in preparation of an official report to his Government with recommendations for adapting to Argentine conditions practices which have produced good results in the United States.

After graduation from the Medical School of the University of Buenos Aires, Dr. Siri did graduate work at the University of Paris and visited child-welfare institutions in France, Belgium, Germany, and Switzerland. He has been associated with the expanding work for maternity and child welfare in Argentina, which in 1936 had only 9 dispensaries and an annual appropriation of \$16,000 but which now, thanks to progressive legislation on the subject passed in that year, functions through 50 health centers with an annual appropriation of \$1,500,000.

Dr. Siri has just published a study of Argentine mortality from birth to 20 years. This work inaugurates the series of brochures that will have as its second number a report on mortality figures for the United States and thereafter for each of the other American republics.